

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CASE NO.: 107-CV-06286 (GBD)

JUSTA MORALES, as personal
Representative of the ESTATE of
GUSTAVO MORALES,

Plaintiff,

v.

CITIGROUP, f/k/a THE NATIONAL
BANK OF NEW YORK,

Defendant,

CITIGROUP, INC. and CITIBANK, N.A. f/k/a
THE NATIONAL CITY BANK OF NEW YORK,

Counter-Plaintiff,

v.

JUSTA C. MORALES, as personal
Representative of the ESTAE of
GUSTAVO A. MORALES,
JANE DOES 1-X, and JOHN DOES 1-X,

Counter-Defendants.

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiff, JUSTA MORALES, as personal representative of the ESTATE OF GUSTAVO MORALES, by and through undersigned counsel, files this Notice of Voluntary Dismissal Without Prejudice as to the claims asserted in the Complaint related to TOMAS MORALES' interest in Defendant's, CITIGROUP f/k/a THE NATIONAL BANK OF NEW YORK, shares which are the subject of the Complaint in the present cause of action.

1. Plaintiff voluntarily dismisses Count 4 of conversion as to Tomas Morales without prejudice.
2. Plaintiff voluntarily dismisses Count 5 as to equitable accounting as to Tomas Morales without Prejudice.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on 30th day of May, 2008, I electronically filed the foregoing document with the Clerk of the Court use CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notice of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to received electronically Notices of Electronic Filing.

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/s/Omar Ortega, Esq. _____